

TJM/jk  
10/5/05

PATENT APPLICATION  
DOCKET NO. 2386.2003-002



UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gary M. Lewis, De Fu Li and Nathan R. Melhorn  
Application No.: 09/894,261 Group: 2154  
Filed: June 28, 2001 Examiner: Dustin Nguyen  
Confirmation No.: 5056  
For: MODEM ACTIVITY DETECTION

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:	
<u>10/6/05</u> Date	<u>Julie Kertyzak</u> Signature
<u>Julie Kertyzak</u> Typed or printed name of person signing certificate	

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a Reply for filing in the above-identified application.

- ☐ Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a Small Entity Statement previously submitted.
- ☐ A Small Entity Statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

10/11/2005 NNGUYEN1 00000033 09894261

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120.00 0P

**The claims fee has been calculated as shown below:**

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA
TOTAL	17	MINUS	* 20	0
INDEP	4	MINUS	** 4	0
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

\* not fewer than 20

\*\* not fewer than 3

## SMALL ENTITY

	RATE	ADDIT. FEE
X	\$ 25	\$
X	\$100	\$
+	\$180	\$

TOTAL= \$ 0OTHER THAN  
SMALL ENTITY

	RATE	ADDIT. FEE
X	\$50	\$ 0
X	\$200	\$ 0
+	\$360	\$

TOTAL= \$ 0**The Application Size Fee has been calculated as shown below:***(Effective for cases filed on or after December 8, 2004)*

Actual Sheets (Including current amendment)	Highest No. of Sheets Paid For (At least 100)	No. of Additional Units Required (Increments of 50 sheets)

## SMALL ENTITY

Rate	Total Amount Owed
X \$125	\$[ ]

OTHER THAN  
SMALL ENTITY

Rate	Total Amount Owed
X \$250	\$[ ]

Payment  
Sufficient for  
up to

[ ] Sheets

**Petition for Extension of Time**

[ ] Applicant hereby petitions to extend the time to respond to the [ ] dated [ ] for [ ] month(s) from [ ] to [ ]. The appropriate fee is set forth below.

[ X ] The undersigned attorney petitions the Commissioner for Patents to extend the time for filing a Notice of Appeal in reply to the Office Action made Final dated June 9, 2005 for one month, from September 9, 2005 to October 9, 2005 under 37 C.F.R. § 1.136(a).

In lieu of filing a Notice of Appeal, Applicants' Attorney is filing a Request for Continued Examination concurrently herewith.

**Please charge Deposit Account No. 08-0380 for the following fees:**

<input type="checkbox"/>	Petition for [ ] month Extension of Time	\$	_____
<input type="checkbox"/>	Claims Fee	\$	_____
<input type="checkbox"/>	Application Size Fee	\$	_____
<input type="checkbox"/>	Other Fees:		
	_____	\$	_____
	_____	\$	_____
	TOTAL:	\$	<u>0</u>

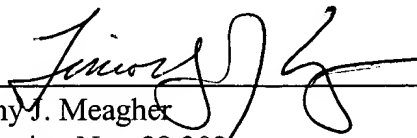
**A check is enclosed in payment of the following fees:**

<input checked="" type="checkbox"/>	Petition for one month Extension of Time	\$	<u>120</u>
<input type="checkbox"/>	Claims Fee	\$	_____
<input type="checkbox"/>	Application Size Fee	\$	_____
<input checked="" type="checkbox"/>	Other Fees:		
	Request for Continued Examination	\$	<u>790</u>
	_____	\$	_____
	_____	\$	_____
	TOTAL:	\$	<u>910</u>

☒ Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By  \_\_\_\_\_  
Timothy J. Meagher  
Registration No.: 39,302  
Telephone (978) 341-0036  
Facsimile (978) 341-0136

Concord, Massachusetts 01742-9133

Dated: 10/6/5